

DAVID J. COOK, ESQ. (State Bar # 060859)  
COOK COLLECTION ATTORNEYS  
A PROFESSIONAL LAW CORPORATION  
165 Fell Street  
San Francisco, CA 94102  
Mailing Address: P.O. Box 270  
San Francisco, CA 94104-0270  
Tel: (415) 989-4730  
Fax: (415) 989-0491  
File No. 58,266

LEWIS & LLEWELLYN LLP  
Evangeline A.Z. Burbidge (Bar No. 266966)  
eburbidge@lewisllewellyn.com  
Marc R. Lewis (Bar No. 233306)  
mlewis@lewisllewellyn.com  
Kenneth M. Walczak (Bar No. 247389)  
kwalczak@lewisllewellyn.com  
Bradley E. Estes (Bar No. 298766)  
bestes@lewisllewellyn.com  
601 Montgomery Street, Suite 2000  
San Francisco, California 94111  
Telephone: (415) 800-0590  
Facsimile: (415) 390-2127

Attorneys for Petitioner  
EDAG Engineering GmbH,  
corporation organized and existing under the laws of the  
Republic of Germany

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

EDAG Engineering GmbH,  
corporation organized and existing  
under the laws of the  
Republic of Germany

Petitioner,

v.

BYTON North America Corporation,

Respondent.

**CASE NO: 3:21-cv-04736-EMC**

**ORDER APPOINTING CALIFORNIA  
SECRETARY OF STATE AGENT FOR  
BYTON NORTH AMERICA UNDER CA  
CORPORATIONS COD SECTION 1702(a)**

Date: December 3, 2021  
Time: TBA  
Location: via Judge Chen's  
Videoconference – [Link](#)

Petition Filed: June 23, 2021

1 Based on the Ex Parte Application to seek the Appointment of the California Secretary of  
2 State as the agent for service of process of Byton North America, a corporation, under California  
3 Corporation 1702(a), and the court finding good cause thereof on the ground that CT Corporation  
4 System resigned as Agent for Service of Process on November 19, 2021, and that BYTON  
5 Northern America, in 13 days failed and refused to replace CT Corporation System with someone  
6 else as the agent for service of process, and for good cause, therefore,


7 IT IS HEREBY ORDERED that the Secretary of State of the State of California under  
8 Corporations Code Section 1702 be and shall be appointed as the agent for the service of process  
9 on behalf of Byton North America, a Delaware Corporation, for all matters, filings, process,  
10 pleading, claims, and any papers for the right and remedies in the enforcement of a judgment, i.e.,  
11 writ, notice, order, or other paper is required to be served under the Enforcement of Judgments  
12 Law.

13 Service shall be made upon the Byton North America by delivering by hand to the  
14 Secretary of State, or to any person employed in the Secretary of State's office in the capacity of  
15 assistant or deputy, one copy of the process for each defendant to be served, together with a copy  
16 of the order authorizing such service. Service in this manner is deemed complete on the 10th day  
17 after delivery of the process to the Secretary of State.

18 IT IS FURTHER ORDERED that service be also made to Byton North America's last  
19 known address and email.

20  
21  
22 Dated: December 7, 2021

23  
24  
25  
26  
27  
28



---

HON. EDWARD M. CHEN  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA